



Quarterly Report

CAMBODIA: INCREASING CITIZEN INVOLVEMENT AND AWARENESS III. USAID Cooperative Agreement No. 367-A-00-01-00067-00 October 1 to December 31, 2001

I. SUMMARY

Cambodia's first self-administered national elections, held in July 1998, took place in a climate of violence and intimidation. Following these elections, Cambodian election monitoring organizations (EMOs) began to work with international nongovernmental organizations (NGOs) to ensure the same problems did not occur in the commune (local) elections, scheduled for February 3, 2002. Commune elections present an important opportunity to develop participatory politics at the national and local levels and are a vital step in the process of creating viable local government structures. While the civil society sector thrives on the national level in Phnom Penh, and on the provincial level to a lesser extent, citizens in communes have very limited experience building or working through democratic institutions, including civil society organizations, political parties and elected government bodies. The National Democratic Institute for International Affairs' (NDI) current programming in Cambodia therefore has three broad components: (1) to monitor the electoral and political process surrounding the commune elections; (2) to strengthen citizen education and participation at the local level; and (3) to provide assistance to Cambodian NGOs undertaking civil-military relations programming.

The commune council election process is now fully underway. Throughout this period, NDI continued to provide technical assistance to the three leading EMOs – the Committee for Free and Fair Elections (COMFREL), The Coalition for Free and Fair Elections (COFFEL) and the Neutral Impartial Committee for Free Elections in Cambodia (NICFEC) – and other NGOs as they implemented their candidate registration monitoring plans and other election-related activities. In the interest of encouraging direct interaction between candidates and the public NDI partnered with the Khmer Institute for Democracy (KID) to organize Cambodia's first candidate debates. The Institute also provided technical and financial assistance to the Cambodian Institute for Cooperation and Peace (CICP) as it launched a year-long program to raise public discussion on and civic participation in the military reform process. As a result of NDI activities during this period, many NGOs have stepped forward to play a central role in ongoing efforts to educate and mobilize Cambodia's electorate. The Institute assisted

Cambodian NGOs in developing successful activities, strategies, materials and reports that provided valuable experience and strengthened their role in the political process.

II. BACKGROUND

Since the 1998 national elections, Cambodia has been in the process of creating sustainable and viable local government at the commune level. The United Nations Development Programme (UNDP) worked with the Ministry of Interior (MoI) to craft legislation that would govern commune councils and their election. Two pieces of legislation, a commune administration and a commune election law, lie at the heart of this effort.

Commune elections in Cambodia, previously expected for 1999 but now scheduled for February 3, 2002 will be the first local polls since the UN-sponsored peace plan and represent an important opportunity to develop participatory politics at the national and local levels. Local elections also offer opposition political parties, which generally lack strong bases outside of the capital, a chance to build their local structures and to organize activities relating to the election process. These opportunities, however, presume a political environment and process that allow for fair political competition; it remains uncertain that these will exist. Cambodia's first self-administered national elections, held in July 1998, took place amid a climate of violence and intimidation. This environment, coupled with flaws in the legal framework and the lack of independent electoral authorities, prevented a genuinely competitive process.

Currently, the Cambodia People's Party (CPP) has exclusive control of the local administrative structure nationwide, and events during the 1998 election process suggest that the party will not readily relinquish its current hold on local authority. If the commune election process is to be more genuinely democratic, the serious flaws that marred the 1998 national election process will have to be corrected.

Following the completion of the voter registration process in late August 2001, the candidate registration and appeals process began in mid-October and concluded on December 2. Like the voter registration process, candidate registration was marred by numerous instances of violence, intimidation and irregularities, including the politically motivated killings of several opposition party candidates. Voter harassment has also appeared to be on the rise, with widespread instances of intimidation that include local authorities collecting voter registration cards and requiring voters to pledge their support to the dominant CPP.

Since December 1999, NDI has worked with civil society leaders, including representatives of the three Cambodian EMOs, to put together recommendations for improving both the drafting process and the content of the commune administration and election laws, and to develop and implement an advocacy campaign based on these recommendations. Following the final passage of the laws in March 2001, NDI encouraged Cambodian NGOs to shift their focus to voter education and other election related activities.

IV. PROGRAM ACTIVITIES

NDI's current program in Cambodia seeks to: (1) improve the ability of Cambodian election monitoring coalitions to strengthen their efforts to monitor commune elections in 2002 and develop suitable monitoring programs; (2) increase Cambodian citizens' understanding of democratic principles such as the rule of law, tolerance, free speech and assembly, and international human rights, and relate these principles to local governance; and (3) to support Cambodian efforts to strengthen civilian oversight of the military through consultations and financial assistance to local NGOs undertaking civil-military relations work. While NDI will shift its focus to civic education and participation following the February 3 commune elections, the Institute concentrated on the first and third objectives in this period.

Election and Political Monitoring

During this period, NDI consulted with the Cambodian EMOs and other NGOs engaged in monitoring preparations for the upcoming commune council elections. The candidate registration and appeals process, which began in mid-October and concluded on December 2, was marred by numerous instances of violence, intimidation and irregularities. NDI worked closely with the EMOs to strengthen their ability to monitor and report on these violations. In particular, NDI assisted the EMOs in developing a set of criteria for determining verifiable violations and in adhering to these criteria in their reporting. On November 14 and 15, NDI facilitated meetings between the directors of the EMOs, the United Nations High Commissioner for Human Rights (UNHCHR) and the NGO Coordination Committee (NGOCC) to address the need to improve reporting of elections violations and to discuss further cooperation between these groups.

In this period, NDI also worked closely with the EMOs to ensure the fair implementation of regulations governing the commune council elections. In particular, in early October a controversy emerged surrounding clauses in the commune election law that required candidates to prove their literacy and Cambodian nationality. An additional article stipulated that the disqualification of a single candidate on a party list would subsequently disqualify all candidates on the party list in that commune. These regulations created a dangerous potential for politically motivated interpretation and subjective implementation of the regulations by the 1,621 local election committees. NDI worked closely with the EMOs, particularly NICFEC, to draft a press release bringing these concerns to the attention of sympathetic members of the government and the international donor community. On October 4, the NEC reversed its position and decided to strip local election committees of their ability to disqualify candidates on these grounds.

NDI also provided direct technical assistance to the EMOs on various aspects of their monitoring plans, including the adoption of a unified monitoring form. NDI continued to advise the Center for Social Development (CSD) as it finalized its voter guide in this quarter. Early drafts of the voter guide were modeled on the 1998 version, but NDI encouraged CSD to regionalize its guide so it could serve as a more effective

tool for the country's geographically segregated electorate, making it more useful for individual voters and pressuring the political parties to develop local and regional platforms. Following advice from other international donor organizations, CSD decided to revert to the national format it employed in 1998.

In December, NDI partnered with the Khmer Institute for Democracy (KID) to organize Cambodia's first candidate debates. Candidate debates present a critical opportunity to facilitate direct interaction between candidates and the public while also shifting the focus of commune elections away from national political party platforms to candidates' own plans for improving the lives of citizens in their communes. NDI is working closely with KID's network of local groups that have extensive experience with organizing civic education and participation programs at the commune level.

Supporting Cambodian NGOs in Strengthening Civil-Military Relations

As the government of Cambodia begins sweeping reforms of the Cambodian armed forces, NDI is providing financial and technical assistance to the Cambodian Institute for Cooperation and Peace (CICP). CICP recently launched a year-long program to raise public discussion on and civic participation in the military reform process. This program seeks to ensure that Cambodian policymakers and the international community understand the significance of civic participation in the military reform process.

On November 15, NDI formalized a year-long cooperative agreement with CICP that includes technical assistance by NDI and a \$25,000 subgrant to CICP to address demobilization and civil-military reforms in Cambodia. This program has four primary components: (1) a national conference on civil-military relations held December 13 to 14; (2) the completion of the first comprehensive report on civil-military affairs in Cambodia; (3) a launching event for program publications scheduled to coincide with the annual meeting of the international donor community; and (4) a series of regular workshops expanding public discussion on relevant civil-military topics.

CICP launched its year-long program with the "National Conference on Civil-Military Relations in Cambodia: Issues, Obstacles and Prospects" from December 13 to 14 in Phnom Penh. The conference brought together leaders from civil society, the Cambodian government, the Royal Cambodian Armed Forces (RCAF) and the international community to address key issues such as demobilization, integration and disarmament, the role of parliament in defense and security, enhancing relations between the public and military and the implications of Cambodia's recently released Defense White Paper for civil-military relations. Over 20 speakers participated on six panels during the two-day conference. The event was highly publicized and average attendance exceeded 300 people, representing a wide range of interests. NDI also facilitated the participation of Eva Busza, the Institute's Senior Advisor on Civil-Military Relations, who traveled to Phnom Penh to provide a theoretical framework and international comparative experience in military reform.

IV. RESULTS AND ACCOMPLISHMENTS

During this quarter, NDI advised and supported Cambodian EMOs and NGOs as they advocated for an end to election violations and corrections to procedures in place for the February 3 commune elections. With NDI's assistance, the organizations made substantial improvements to their internal operations and reporting methods and were able to enlist the support of key figures in the government and international community to support their efforts. These groups issued regular and well-coordinated reports on the candidate registration process. NDI's support to Cambodian civil society consisted not only of technical assistance to these groups but also of liaising with the international community and garnering additional pressure to bolster the position of Cambodian organizations. For example, pressure from NICFEC, NDI and other members of the international community succeeded in convincing the NEC to modify several problematic candidate registration regulations.

While the candidate debates have yet to take place, securing the cooperation of Cambodia's political parties, bringing them together in a constructive environment and encouraging them to focus on commune level issues alongside national party platforms is a distinct success of the work that has gone into organizing candidate debates so far. Candidate debates represent an important experiment in political decentralization that may set a precedent for the 2003 elections and provide NDI with additional commune level experience that will facilitate the transition between the election monitoring and citizen education components of the Institute's programming.

The national conference on civil-military relations provided constructive and critical public discussion on the military's role and reform process in Cambodia and created an opening for civil society to take a more active role in the defense policymaking process. As the first national dialogue on civil-military relations, the highly publicized and well-attended conference enhanced civil society's familiarity with the subject, made the government and armed forces more aware of the role civil society may play in defense policymaking and military reforms, and raised the confidence of civil society organizations interested in taking part in discussions with the government and military on security issues.

V. EVALUATION

- *Objective 1: Building on their experience in the 1998 general elections, Cambodian election monitoring coalitions strengthen their efforts to monitor commune elections in 2002 and develop suitable monitoring programs.*

Cambodian EMOs have continued to advocate for the just implementation of the commune regulations. Their ongoing efforts have drawn the attention of the media, international donor community and members of the government to violations and irregularities in the various stages of the commune election process, including voter and candidate registration. The groups remain open to suggestions from NDI as the Institute continues to work with Cambodian EMOs to strengthen their election monitoring

networks while improving their reporting and monitoring skills. The NGOs applied these monitoring and reporting skills to the candidate registration process, issuing regular reports calling attention to violations and irregularities. As a result of their protracted pressure, the NEC reversed its position on three controversial regulations pertaining to candidate registration. Even though pressure from other international organizations caused CSD to revert to the 1998 format for its election guide after initially following NDI's recommendations to regionalize the guide, the final product was still of high quality and will be a useful tool in the upcoming elections.

- *Objective 2: Cambodian citizens increase their understanding of democratic principles such as the rule of law, tolerance, free speech and assembly, and international human rights norms, and relate these principles to local governance.*

NDI anticipates beginning its citizen education and participation programming following the February 3 commune elections.

- *Objective 3: Cambodian efforts to strengthen civilian oversight of the military through consultations and financial assistance to local NGOs undertaking civil-military relations work are enhanced.*

NDI identified CICP as a capable civil society organization at the forefront of the nascent dialogue on civil-military relations. As civil-military relations had not previously been accorded a role in discussions of demobilization and military reform in Cambodia, the national conference organized by CICP largely succeeded in accomplishing its basic goal of making civil society organizations, the government and armed forces aware that civil society has an important role to play in the defense policymaking process. CICP's extensive experience in organizing conferences and its ability to attract a high level audience contributed to raising the profile of this issue; at the same time, it was obvious that many representatives from all sectors lack a fundamental familiarity with and understanding of the theoretical and practical issues associated with the role of civil society in reforming the military. CICP is currently working on a Policy Brief detailing its recommendations from the conference, which it will release prior to the next meeting of the Consultative Group on January 15. CICP and NDI also continue to work together to determine the focus of the workshops, which will take place during the next year and will focus on specific aspects of civil-military reform.

VI. FUTURE ACTIVITIES

NDI will continue to assist Cambodian NGOs in developing innovative voter education strategies and in monitoring the February 3 commune council elections. NDI will also work with the KID to organize and implement Cambodia's first candidate debates during the January 18 to February 1 campaign period. In addition, NDI will continue to cooperate with the CICP to organize the ongoing series of workshops on various aspects of civil-military relations.